

REMARKS

This application has been carefully reviewed in light of the Office Action dated July 5, 2007. Claims 61 to 71 are in the application, with Claims 70 and 71 having been newly added herein. Claims 61, 64, 67, 70 and 71 are independent. Reconsideration and further examination are respectfully requested.

Claims 61 to 63 were rejected under 35 U.S.C. §112, second paragraph. Specifically, the Office Action asserts that the phrase “window information” is unclear. Amendments to the claims are believed to obviate the rejections. The Office Action also asserts that Claims 61 to 63 are indefinite because “reciting the ability of the transmission unit to transmit certain kinds of information” is “purely functional language and it is not clear as to what structure applicant is claiming here . . . [t]he pending claims are system claims (and apparatus type claims) and structure is what is given patentable weight.” (Office Action, page 3)(emphasis added). In this regard, it appears the Office Action does not even consider (does not give patentable weight to) certain features of the claims merely because the features are described by “functional language.” To the extent this is the case, Applicants respectfully traverse the rejections. In particular, MPEP § 2114 makes clear that “features of an apparatus may be recited either structurally or functionally”. (emphasis added).¹ Moreover, Applicants contend that one skilled in the art would readily understand

¹See also, MPEP § 2173.01 (“Applicant may use functional language, alternative expressions, negative limitations, or any style of expression or format of claim which makes clear the boundaries of the subject matter for which protection is sought.”) (emphasis added); MPEP § 2106(IV)(B) (“a claimed invention may be a combination of devices that appear to be directed to a machine and one or more steps of the functions performed by the machine. . . . Note that an apparatus claim with process steps . . . is simply an apparatus claim including functional limitations.”)(emphasis added).

“what structure is being defined” by the features of the claims. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

Claims 61 to 69 were rejected under 35 U.S.C. §103(a) U.S. Patent No. 6,609,050 (Li) in view of U.S. Patent No. 5,432,904 (Wong). Reconsideration and withdrawal of the rejections are respectfully requested.

Turning to the specific language of the claims, independent Claim 70 defines an equipment management system including a printer, a user terminal and a management server. The equipment management system comprises the user terminal, which comprises a failure code transmission unit adapted to transmit a failure code to the management server on the basis of a failure code notified by the printer. The equipment management system also comprises the management server, which comprises a storage unit adapted to store a customer database constituted by user information for managing a user, a repair fee calculation table for calculating a repair fee estimate, and a price table for specifying a price of the printer of the user, a check unit adapted to check whether the printer of the user is under warranty by looking up the customer database on the basis of user information received from the user terminal via a network, and an estimation unit adapted to, if it is checked by said check unit that the printer of the user is not under warranty, calculate the repair fee estimate by looking up the repair fee calculation table on the basis of the failure code received from the user terminal. The management server also comprises a determination unit adapted to specify the price of the printer of the user by looking up the price table on the basis of the failure code, and to determine whether a ratio of the calculated repair fee estimate to the specified price is a predetermined value or more, and a transmission unit adapted to, 1) if it is determined by said determination unit that the

ratio of the calculated repair fee estimate to the specified price is equal to or more than the predetermined value, transmit to the user terminal via the network information for making the user terminal display the calculated repair fee estimate and new products information, 2) if it is determined by said determination unit that the ratio of the calculated repair fee estimate to the specified price is not equal to or more than the predetermined value, transmit to the user terminal via the network information for making the user terminal display the calculated repair fee estimate, 3) if it is checked by said check unit that the printer of the user is under warranty, transmit to the user terminal via the network information for making the user terminal display a window for designating a type of method for recovering an article to be repaired and a type of method for delivering the repaired article, without transmitting information for making the user terminal display the calculated repair fee estimate.

Independent Claim 71 corresponds to the system of Claim 70, but is more specifically directed to the management server. Independent Claims 61 and 64 are a system and a method, respectively, that correspond generally to Claim 70, and Claim 67 is a computer-readable storage medium that corresponds generally to Claim 71. However, each of Claims 61, 64 and 67 further include transmission of information for making the user terminal display a window for designating a type of method for recovering an article to be repaired and a type of method for delivering the repaired article, with respect to additional features.

The applied references are not seen to disclose or to suggest the features of independent Claims 61, 64, 67, 70 and 71, and in particular, are not seen disclose or to suggest at least the features of calculating a repair fee estimate by looking up a repair fee

calculation table on the basis of a failure code received from a user terminal (Claims 61, 64, 67, 70 and 71), much less disclose or suggest a failure code transmission unit adapted to transmit a failure code to a management server on the basis of a failure code notified by a printer (Claims 61, 64 and 71).

In contrast, Li is seen to disclose “[a] work order can be assembled for the vehicle based upon why the customer brought the vehicle in for servicing. A work order is entered [by a service associate] into the interface”. (column 7, lines 28 to 30 of Li). For example, one “interface for assisting a service associate” is shown in Figure 23 of Li. In particular, based upon a customer’s statement that “a vehicle shakes at high speed”, a work order item 002 “is retrieved from the databases of the present invention”. (column 8, lines 6 to 13). However, Li is not seen to disclose or to suggest calculating a repair fee estimate by looking up a repair fee calculation table on the basis of a failure code received from a user terminal, much less disclose or suggest a failure code transmission unit adapted to transmit a failure code to a management server on the basis of a failure code notified by a printer.

The remaining applied reference, namely Wong, is not seen to cure the deficiencies of Li, either alone or in any permissible combination. Accordingly, independent Claims 61, 64, 67, 70 and 71 are believed to be allowable.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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FCBS_WS 1649237v1